

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

GRAND ENCAMPMENT OF KNIGHTS
TEMPLAR OF THE UNITED STATES OF
AMERICA, et al.,

Plaintiffs,

v.

CONFERENCE OF GRAND MASTERS OF
MASONS IN NORTH AMERICA, INC.,
et al.,

Defendants.

Case No. 1:11-cv-00463-JD

**OBJECTION OF GRAND MASTERS OF MASONS IN NORTH AMERICA, INC.
AND RICHARD SWANEY TO PLAINTIFFS'
MOTION TO CONDUCT JURISDICTIONAL DISCOVERY**

Defendants Conference of Grand Masters of Masons in North America, Inc. (the
“Conference of Grand Masters”), and Richard Swaney, by and through their attorneys, Wiggin &
Nourie, P.A., object to plaintiffs’ motion to conduct jurisdictional discovery as follows:

1. A Court will permit jurisdictional discovery if the plaintiff can identify the type of
evidence they seek to discover and can demonstrate that those facts would support personal
jurisdiction over defendant. United States v. Swiss American Bank, Ltd., 274 F.3d. 610, 625-
626 (1st Cir. 2001). In deciding a motion to conduct jurisdictional discovery, the Court will look
to whether the plaintiff can “present facts to the Court which show why jurisdiction will be found
if discovery were permitted.” Id. at 627.

2. Here, the plaintiffs have not identified the type of evidence or facts they seek to
discover, and have not demonstrated why those facts would support personal jurisdiction over
the Conference of Grand Masters or Richard Swaney.

3. In their Motion, the plaintiffs argue that through discovery, plaintiffs “will demonstrate that the individual and collective purpose of the above-described conduct of defendants . . . was to motivate and encourage others to disseminate the claim of ‘irregularity’ throughout the Grand Commanderies of all fifty states, including New Hampshire. Defendants knew such a claim would result in the Grand Commanderies being prohibited from interacting with plaintiffs, which would deprive them of the ability to receive charitable funds or administer the charities.” These conclusory statements do not identify the type of evidence or facts that plaintiffs seek to obtain through discovery and they do not explain how such facts would show why this Court has personal jurisdiction over The Conference of Grand Masters and Richard Swaney.

4. Consequently, Plaintiffs’ Motion to Conduct Jurisdictional Discovery should be denied.

WHEREFORE, defendants Conference of Grand Masters, and Richard Swaney respectfully request that this Honorable Court:

- A. Deny Plaintiffs’ Motion to Conduct Jurisdictional Discovery; and
- B. Grant such other and further relief as this Court deems just and equitable.

Respectfully submitted,

CONFERENCE OF GRAND MASTERS OF
MASONS IN NORTH AMERICA, INC.,
And RICHARD SWANEY,

By their attorneys,

WIGGIN & NOURIE, P.A.

Dated: December , 2011

By: /s/ Thomas J. Pappas

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CERTIFICATE OF SERVICE

A copy of the foregoing Motion to Dismiss by Defendants Conference of Grand Masters of Masons in North America, Inc., Ed Bousquet, and Richard Swaney has this day been forwarded via CM/ECF to:

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